

Application No. 09/599,963

October 31, 2005

Reply to office action of August 10, 2005

### **Remarks/Arguments**

Applicant gratefully acknowledges the thorough Examination to date and has made an effort to fully respond to all the issues raised by the Examiner. Applicant has taken care and believes that no new matter has been introduced by way of this amendment. Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

### **Rejection of Claim 22 under 35 USC 102**

The Examiner has objected to Claim 22, under 35 U.S.C. 102(b), as being anticipated by the U.S. Patent Number 5,563,875, issued to Hefel et al.

The Examiner states:

"Re Claim 22, fig. 4 teaches a Node A (common node) sending signals to Node B & C (first and second) to measure the round trip delays (See col. 6, lines 6-38) to compute the transmit time, wherein the RTD (round trip delay) between Node A and B halved indicates interim transit time (jitter in transit delay) and RTD between Node A and C halved; fig. 6 step 67 teaches calculating the link transmit times between source Node A to destination Node C, whereby by adding the interim transit times indicates the total transmit time to the destination (See col. 7, lines 50-65) *wherein the total jitter is based on the previously calculated transmit times.*"

Applicant has cancelled Claim 22 of the present application to overcome this objection.

### **Conclusion**

Applicant respectfully submits that the outstanding rejection under 35 USC 102 has been overcome by the above amendment. Applicant respectfully submits that all of the claims presently standing in the application are patentably distinguished from the teachings of all references of record either taken alone or in any combination. Accordingly, reconsideration and allowance of this application is respectfully solicited.

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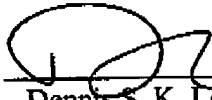
Should any further fees or payments be necessary for entry of this amendment and further prosecution of this application, the undersigned hereby authorizes the Commissioner to debit and/or credit our Deposit Account No. 16-0600.

Respectfully submitted

October 31, 2005

Date

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